

MINUTES
JOINT FINANCE-APPROPRIATIONS COMMITTEE

DATE: Monday, February 23, 2015
TIME: 8:00 A.M.
PLACE: Room C310
MEMBERS PRESENT: Senators Co-chairman Cameron, Keough, Mortimer, Bair, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey
Representatives Co-chairman Bell, Gibbs, Miller, Youngblood, Burtenshaw, Horman, Malek, Monks, King, Gannon

**ABSENT/
EXCUSED:** None

CONVENED: Chairman Bell called the meeting to order

SUPPLEMENTALS

SUBJECT: **DEPARTMENT OF FISH AND GAME: One-Time Projects**

PRESENTER: **Mr. Houston** read before the committee, background information following programs:

FISHERIES PROGRAM

These projects include \$93,700 from federal Dingell-Johnson moneys and \$31,300 from state license money to purchase property for Campbell's Pond; \$100,000 from federal NOAA Mitchell Act moneys for fish screen maintenance; \$35,200 from US Fish and Wildlife Service (USFWS) moneys for Clearwater Fish Hatchery Improvements; \$6,100 from USFWS and \$3,800 from Idaho Power Company for the fish health program; \$55,000 from Idaho Fish and Wildlife Foundation moneys for stream-bank habitat improvements to Sheep Creek in the Southeast region; \$8,600 from Quantitative Consultants for salmon and steelhead habitat improvement effectiveness monitoring; \$721,000 from the Office of Species Conservation for habitat improvements; and \$47,200 from Idaho Power Company for Chinook salmon and steelhead monitoring and evaluation. Fisheries projects total \$1,101,900 of which \$31,300 is for match to the Campbell's Pond purchase from Potlatch. [One-time]

WILDLIFE PROGRAM

These projects include \$92,200 in operating expenditures and \$2,215,700 in capital outlay from federal Pittman-Robertson moneys to acquire the 10,400 acre Rock Creek property in Blaine County. The acquisition will conserve important wildlife habitat while preserving grazing uses for livestock producers. The total value of the property exceeds \$13.4 million, with \$7.4 million being contributed through the Rinker family and \$3.8 million through a Grassland Reserve Program easement. Leaving \$2.2 million for fee-title acquisition plus operating costs necessary for appraisal, title search, property survey, and closing costs to the department, bringing the request for this project to \$2,307,900. [One-time]

COMMUNICATIONS PROGRAM

These projects include \$65,000 in operating expenditures from Pittman-Robertson moneys to enhance the statewide hunter recruitment and retention program. Moneys

will be used to conduct trapper education, purchase non-firing training rifles, and for program supplies. The intent is to teach hunting skills that will encourage graduates to become life long hunters and trappers. [One-time]

WILDLIFE MITIGATION AND HABITAT CONSERVATION PROGRAM

These projects include \$3,510,000 in federal Bonneville Power Administration (BPA) moneys to be used for erosion control actions and to restore wildlife habitat in the Clark Fork delta of Lake Pend Oreille; \$174,200 from a Department of Environmental Quality settlement to provide for mitigation for loss of wetlands associated with the expansion of the Page repository in northern Idaho; and \$250,000 in federal BPA moneys for noxious weed control, habitat planting, and fence repairs in the southern part of the state. The Governor's recommendation for this program totals \$3,934,200. [One-time]

UNANIMOUS CONSENT On Request by Miller, granted by unanimous consent, the Fiscal Year 2015 budget for the Department of Fish and Game, was reopened.

CARRIED: Original Motion

**Department of Fish and Game
Wildlife Mitigation and Habitat Conservation
One-Time Projects**

Supplemental

Moved by **Miller**, seconded by **Lacey**, to approve for introduction \$1,041,100 Dedicated Funds, \$6,367,900 Federal Funds for a total of \$7,409,000

Ayes: 19

Cameron, Keough, Bair, Mortimer, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 1

Nuxoll

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

DEPARTMENT OF CORRECTION

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

UNANIMOUS CONSENT: On request by **Youngblood**, granted by unanimous consent, the Fiscal Year 2015 budget for the Department of Correction, was reopened.

SUBJECT: Management Services: ILETS Fee Increase

Ongoing funding is requested to cover an increase in Idaho Law Enforcement Telecommunications System (ILETS) fees that were approved last legislative session. Based on the new rate, the department's fee will increase to an estimated \$33,750, which is an increase of \$22,500 above the FY 2014 a fee of \$11,250.

CARRIED: **Original Motion**

Department of Correction
Management Services
ILETS Fee Increase

Supplemental

Moved by **Youngblood**, seconded by **Lacey**, to approve for introduction \$22,500 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$22,500 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

SUBJECT: **Management Services: Balla Legal Fees**

The department is requesting \$223,100 in [one time] legal fees associated with the Walter D. Balla et al. vs. Idaho State Board of Correction court case. Pending before the U.S. District Court is a petition for the award of interim attorney fees and costs. The fees and costs were incurred by attorneys appointed by the court for the specific purpose of monitoring the injunctive relief of the Balla cases. The attorneys have incurred costs in monitoring compliance, bringing motions when there was a need for clarification, and ensuring that injunctive relief was being complied with by the department at the Idaho State Correctional Institution.

CARRIED: **Original Motion**

Department of Correction
Management Services
Balla Legal Fees

Supplemental

Moved by **Youngblood**, seconded by **Lacey**, to approve for introduction \$223,100 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$223,100 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without

objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **State Prisons: ICIO Litigation Settlement**

Former employees of the Idaho Correctional Institution at Orofino filed a class-action lawsuit in the United States District Court for the District of Idaho, entitled Morehouse, et al. vs. Idaho Department of Correction, et al. During the course of the litigants' employment, certain disputes arose between them and the Department of Correction, concerning the circumstances and conditions of their employment. In May, 2014, all parties entered into a settlement agreement "to fully and finally and forever settle any and all claims relating to the terms and conditions of the litigants' employment at the department". While all parties to the settlement did not make any admission of liability or damages, plaintiffs were awarded a monetary settlement payment of \$340,000. Of that amount, Risk Management paid \$190,000 as called for under the terms and conditions of the settlement. [one time] funding is now requested to cover the remaining balance due of \$150,000 plus \$3,000 in interest payments.

CARRIED: **Original Motion**

State Prisons
ICIO Settlement
Supplemental
Original Motion

Moved by **Youngblood**, seconded by **Lacey**, to approve for introduction \$153,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$153,000 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **State Prisons: Agriculture Worker Program**

S1374a, of 2014 authorized the use of inmate labor to work for private employers in the production, harvesting, and processing of perishable Idaho agricultural food products. This legislation did not have a General Fund impact because of deductions to be made from inmate pay that would offset transportation, security, and other costs associated with this new program. In addition, deductions will be made to satisfy court ordered restitution, fines, and other legal judgments such as child support, with remaining funds placed in a reentry fund and in the inmate's personal commissary fund. Funding is requested from the Inmate Labor Fund to hire two correctional officers in support of the Correctional Industries Ag Worker program. Of the amount requested, \$154,700 is ongoing, and \$2,200 is [one time].

CARRIED: **Original Motion**

SICI Ag Worker Program

Supplemental

Moved by **Lacey**, seconded by **Youngblood**, to approve for introduction \$0 General Funds, \$156,900 Dedicated Funds, \$0 Federal Funds for a total of \$156,900 with FTP of 2.00

Ayes: 19

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, Gannon

Nays: 1

King

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **Community Corrections: Community Supervision Shortfall**

Currently, the department estimates that it has a FY 2015 budgetary shortfall of \$214,000 in the Community Supervision Program, but expects that number to go down based on recent projections. Big ticket items include \$41,000 to cover additional space required for community-based substance abuse services staff that has been added to district offices around the state; \$66,000 for uniforms and vest replacement, \$52,000 for postage; and \$39,100 for expenses related to district office fire, flooding, and Mercury Spill not fully covered by insurance. The department is requesting a one-time supplemental in the amount of \$200,000 from the Cost of Supervision Fund to help alleviate this shortfall.

CARRIED: **Original Motion**

Department of Correction
Community Supervision

Shortfall

Supplemental

Moved by **Lacey**, seconded by **Youngblood**, to approve for introduction \$0 General Funds, \$200,000 Dedicated Funds, \$0 Federal Funds for a total of \$200,000.

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

RECISSIONS

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **Medical Services Program**

The current appropriation for the Medical Services Program is \$40,389,600, but current estimates show a need for \$38,782,900, which is \$1,606,700 less than the appropriated amount. At the time the appropriation was set, it was assumed that per diem would go from \$15.31 to \$15.77 per inmate day, beginning January 1, 2015. Instead, the new contract actually went down in July 2014, from \$15.31 to \$14.66 with an upward adjustment to \$15.10 in January 2015.

CARRIED: **Original Motion**

Department of Correction
Medical Services

Rescission

Moved by **King**, seconded by **Youngblood**, to approve for introduction \$(1,606,700) General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$(1,606,700) with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without

objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **State Prisons: ISCC Personnel Cost Savings**

The state assumed operation of the privately-operated Idaho Correctional Center (ICC) on July 1, 2014. At that time, ICC was renamed the Idaho State Correctional Center, which received a lump sum appropriation of \$25,412,500. Of that amount, the department allotted \$5,920,000 to operating expenditures, and \$19,492,500 to personnel costs in order to hire 350 new employees as authorized by the Governor. In reconciling the personnel cost appropriation to estimated need, it is calculated that ISCC is over appropriated in personnel costs by \$888,900, or by 4.6%. This is after factoring in the cost of all positions, shift differential, and holiday over-time.

CARRIED: **Original Motion**

Department of Correction
State Prisons
Idaho State Correctional Center
ISCC Personnel Cost Savings

Rescission

Moved by **Bair**, seconded by **Youngblood**, to approve for introduction \$(442,000) General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$(442,000) with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **Correctional Alternative Placement Program (CAPP): Contract Savings**

The current appropriation assumed per diem would go from \$45.69 per inmate day to \$47.06 for the first 388 offenders. Instead, per diem increased to \$46.10. Anything above 388 offenders assumed per diem would go from \$26.42 to \$27.21. The rate increased to \$26.66

CARRIED: **Original Motion**

Department of Correction
Correctional Alternative Placement Program:

Rescission

Moved by **Malek**, seconded by **Lacey**, to approve for introduction \$(159,900) General Funds, for a total of \$(159,900).

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: **Community Corrections & Community Supervision: Probation and Parole officer Training**

As part of the Justice Reinvestment Initiative, the Department of Correction was appropriated \$500,000 from the General Fund for FY 2015 to train probation and parole officers. Of that amount, about \$338,700 is estimated to be expended in the current fiscal year.

CARRIED: **Original Motion**

Department of Correction
Community Supervision
Probation and Parole Officer Training

Rescission

Moved by **Gannon**, seconded by **Bair**, to approve for introduction \$(161,300) General Funds, for a total of \$(161,300).

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

RESUMED SUPPLEMENTALS

PRESENTER: **Richard Burns, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: Office of the Governor:
Military Division, Inauguration Expenses

UNANIMOUS CONSENT: On Request by **Youngblood**, granted by unanimous consent, the Fiscal Year 2015 budget for the Office of the Governor, Military Division, was reopened.

CARRIED: Original Motion

Office of the Governor
Military Division: Inauguration Expenses

Supplemental

Moved by **Youngblood**, seconded by **Horman**, to approve for introduction \$25,000 General Funds, for a total of \$25,000.

Ayes: 19

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 1

Schmidt

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

DEPARTMENT OF HEALTH AND WELFARE

PRESENTER: **Jared Tatro, Principal Analyst, Division of Budget and Policy Analysis**

UNANIMOUS CONSENT: On Request by **Schmidt**, granted by unanimous consent, the Fiscal Year 2015 budget for the Department of Health and Welfare, was reopened.

SUBJECT: **Dept. of Health and Welfare: State Healthcare Innovation Plan (SHIP)**

Mr. Tatro read through the background information regarding the State Healthcare Innovation Plan (SHIP). This program will transform Idaho's healthcare system by changing the standard of practice, delivering primary care through the patient-centered medical home (PCMH), integrating primary care with the broader medical neighborhood of hospitals and ancillary providers, and shifting payment incentives from volume to paying for improved health outcomes.

This has been developed with the statewide stakeholder input led by the Idaho Healthcare Coalition (IHC) during 2013 and 2014. The IHC was established through executive order 2014-02 in February, 2014, with the charge to lead Idaho's healthcare system transformation. Members of the IHC include primary care providers, hospital leaders, public and private payers, policy-makers, employers, community members and provider associations. The plan is designed to achieve improved patient care, improved patient health, and reduced overall healthcare system costs.

Broad goals for implementing SHIP include building 165 PCMH primary care practices with 850 primary care providers, improving care coordination through adoption and use of electronic health records (EHRs), establishing a regional collaborative to support integration of PCMHs into the broader "medical neighborhood", improving rural patient access to PCMH by developing virtual

PCMHs, building a statewide data analytic system, and aligning payment mechanisms across private and public payers to transform payment methodologies from volume to value. More specifically, SHIP focuses on improving healthcare delivery in rural and frontier communities by developing tele-health services and the role of community health workers, as methods of extending care to rural communities.

CARRIED: **Original Motion**

Department of Health and Welfare

Indirect Support Services: SHIP

Supplemental

Moved by **Schmidt**, seconded by **Malek**, to approve for the creation of the Health Care Policy Initiatives Program, and \$3,479,800 Federal Funds for a total of \$3,479,800 with FTP of 7.00.

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

UNANIMOUS CONSENT: On request by **Thayn**, and granted by unanimous consent the following Legislative intent language was accepted.

INTENT LANGUAGE:

It is the intent of the legislature to require reporting on the implementation of the SHIP grant. The Healthcare Policy Initiative Program (SHIP) shall report on an annual basis, the status of the State Healthcare Innovation Plan, or SHIP, to the Legislative Services Office and the Division of Financial Management. The report shall include comments and suggestions from private insurers, private providers, and other active stakeholders on the process of moving from the current fee-for-service medical model to a capitated model of health care delivery. The report should also include results of any performance metrics required by the grant, in addition to updates on potential solutions for the State of Idaho. This report shall be submitted no later than December 31, 2015.

PRESENTER: **Jared Tatro, Principal Analyst, Division of Budget and Policy Analysis**

SUBJECT: Department of Health and Welfare: Eliminate Medically Indigent Administration Program

Mr. Tatro explained further to the committee the Governor's recommendation for the Healthcare Policy Initiatives Program to be created this fiscal year. In support of this new program the Governor recommends to transfer 1.0 FTP and to eliminate this program. The proposed program will house the State Healthcare Innovation Plan (SHIP) grant if funding is approved by the Legislature. SHIP is a \$40 million federal grant to transform the healthcare system in Idaho. Detailed information on SHIP can be found in the supplemental request in Indirect Support Services. [Ongoing]

CARRIED: Original Motion

**Department of Health and Welfare
Medically Indigent Administration**

Rescission

Moved by **Schmidt**, seconded by **Malek**, to approve for introduction (\$57,800) General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of (\$57,800) with FTP of (1.00)

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis

SUBJECT: Eligibility for Health Insurance Subsidy: Indirect Support Services:

Mr. Tatro discussed in relation to the Indirect Support Services, the Self-Reliance Program Eligibility for Health Insurance Subsidy.

Idaho's ability to operate a state-based exchange is dependent upon a fully functional eligibility determination system. In addition to Medicaid eligibility determination, performed by the department, the Advanced Payment Tax Credit (APTC) is determined using the same criteria. Idaho received Medicaid Readiness funding in FY 2012 through FY 2014 to enhance the Medicaid eligibility system. As a result the federal government will not fund a second eligibility system for Your Health Idaho (YHI), the state-based exchange. The department entered into a Memorandum of Understanding with YHI and began work on this project in May 2014.

Funding for FY 2015 will be provided from a contract with YHI, as generated from an operational grant between YHI and CMS. Funding for FY 2016 will be provided from YHI, and generated from the 1.5% fee that is charged to the enrollee for each transaction that is secured through the exchange. Additional programming to the department's benefit eligibility system is needed to account for all criteria in determining both Medicaid eligibility and the APTC.

Programming changes will be used for application processing, case management, required federal and state verifications, eligibility support, an online application portal, an eligibility system of record, complaint resolution for eligibility decisions, information transfers to the marketplace, eligibility renewals, eligibility data migration from the federal marketplace, and eligibility-related customer service by phone. [Ongoing] The department requests \$8,124,500 in new appropriation from dedicated funds, a fund shift of \$3,605,700 from federal to dedicated funds, and 15.0 FTP be transferred from the Southwest Idaho Treatment Center, to determine eligibility for the (APTC) subsidies for the YHI state-based exchange.

CARRIED: **Original Motion**

Department of Health and Welfare

Division of Welfare

Self-Reliance Operations

Supplemental

Original Motion

Moved by **Malek**, seconded by **Schmidt**, to approve for introduction \$0 General Funds, \$8,124,500 Dedicated Funds, \$0 Federal Funds for a total of \$8,124,500 with FTP of 15.00

Ayes: 15

Cameron, Keough, Bair, Johnson, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, King, Gannon

Nays: 5

Mortimer, Nuxoll, Thayn, Monks, Burtenshaw

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

CARRIED: **Original Motion**

Department of Health and Welfare

Indirect Support Services

Supplemental

Moved by **Malek**, seconded by **Schmidt**, to approve for introduction \$0 General Funds, \$3,605,700 Dedicated Funds, \$(3,605,700) Federal Funds for a total of \$0 with FTP of 0.00

Ayes: 15

Cameron, Keough, Bair, Johnson, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, King, Gannon

Nays: 5

Mortimer, Nuxoll, Thayn, Monks, Burtenshaw

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without

objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **Mental Health Services: Jeff D. Lawsuit Attorney Fees**

Mr. Tatro provided background information regarding the Jeff D. Lawsuit to the committee. The department requests \$615,000 from the General Fund to pay the plaintiff attorneys in the Jeff D. federal class-action lawsuit against the state, as ordered by the District of Idaho and 9th Circuit Court of Appeals.

In 2007, the Jeff D. lawsuit was dismissed by the District of Idaho. This decision was subsequently overturned in 2011 by the 9th Circuit Court of Appeals. Once remanded back to the District Court, Judge Winmill directed the state and plaintiffs to follow a meet-and-confer process that led to the parties entering into mediation to negotiate a resolution to the lawsuit. This mediation is expected to result in a settlement agreement that the state hopes will lead to a mutual request for dismissal. The requested amount is a placeholder until the final mediation is complete, at which point the agreement will go before the judge for final approval. Mediation is expected to be completed and a settlement amount known by the time the legislative session convenes. [One time]

CARRIED: **Original Motion**

Department of Health and Welfare

Mental Health Services

Jeff D Lawsuit Fees

Supplemental

Moved by **Johnson**, seconded by **Malek**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of 0.00 \$615,000 GF OE Childrens (\$615,000) GF T&B Adult

Ayes: 19

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Thayn

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **Substance Abuse Treatment and Prevention: Access to Recovery Grant**
The department was awarded a three-year Access to Recovery Grant for \$7,866,700 through the Substance Abuse and Mental Health Services Administration, to increase access to substance abuse treatment and recovery support services including transportation and temporary housing.

The grant will aim to serve:

- (1) veterans with a substance use disorder who have committed a crime and are on supervised probation
- (2) child welfare families participating in child welfare court as a result of an addiction
- (3) homeless individuals

Intended outcomes of the grant are to eliminate drug use, expand access to services, and build sustainable behavior. [Ongoing]

CARRIED: **Original Motion**

Department of Health and Welfare
Substance Abuse Treatment & Prevention
Access to Recovery Grant

Supplemental

Moved by **Nuxoll**, seconded by **King**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$796,700 Federal Funds for a total of \$796,700 with FTP of 2.00

Ayes: 19

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Thayn

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **Division of Medicaid: Hospital Settlements Fund Shift**

The Centers for Medicare and Medicaid (CMS) made changes requiring the most current data to be used when calculating the Federal Upper Payment Limit (UPL). Therefore, Medicaid must use costs from the current Medicare cost reports, ultimately forcing the calculation of interim cost settlements with hospitals. The division estimates that it will process two to three times as many cost settlements in FY 2015 as compared to FY 2014. As a result of this change there is a fund shift that increases dedicated funds by \$59 million, reduces the General Fund by \$17.1 million, and reduces federal funds by \$41.9 million. [Ongoing]

CARRIED: Original Motion

**Department of Health and Welfare
Division of Medicaid
Hospital Settlements Fund Shift**

Supplemental

Original Motion

Moved by **Schmidt**, seconded by **Malek**, to approve for introduction (\$17,110,000) General Funds, \$59,000,000 Dedicated Funds, (\$41,890,000) Federal Funds for a total of \$0 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis

SUBJECT: Division of Medicaid: Sovaldi Hep-C Drug Payments

The department requests ongoing funding to pay for a new medication for the treatment of Chronic Hepatitis-C, known as Sovaldi, or Sofosbuvir. The drug would be a component of an antiviral treatment regimen and/or for those awaiting a liver transplant. The drug would only be used with eligible participants 18 years of age and older, subject to specific requirements to receive treatment. Estimates for the average cost per client after pharmaceutical rebates for the 12-week treatment are approximately \$74,000 and for the 24-week treatment the after-rebate cost will be \$143,600. This drug protocol has received national attention due to its high cost. [Ongoing]

The department submitted a revised request for a new, all funds, amount of \$2,739,000 with \$794,300 from the General Fund. This is the result of good negotiations and being able to generate a better rebate amount from the manufacturer.

CARRIED: Original Motion

**Department of Health and Welfare
Division of Medicaid
Enhanced Medicaid Plan
Sovaldi Hep-C Drug Payments**

Supplemental

Moved by **Malek**, seconded by **Johnson**, to approve for introduction \$0 General Funds, \$3,761,000 Dedicated Funds, \$0 Federal Funds for a total of \$3,761,000 with FTP of 0.00

Ayes: 19

Cameron, Keough, Bair, Mortimer, Johnson, Thayn, Guthrie, Schmidt, Lacey,

Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 1

Nuxoll

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis

SUBJECT: Services for the Developmentally Disabled: FTP Transfers

The department requests that 25.0 FTP from SWITC be transferred to four other department programs in the current year to help meet the FTP needs of four supplemental funding requests:

- 1) 15.0 FTP to Welfare to determine eligibility for the state exchange.
- 2) 7.0 FTP to Health Care Policy Initiatives for the State Healthcare Innovation Plan.
- 3) 2.0 FTP to Substance Abuse and Prevention for the Access to Recovery Grant.
- 4) 1.0 FTP to Physical Health Services to assist with several new federal grants. This is an ongoing reduction in FTP at SWITC. [Ongoing]

CARRIED: Original Motion

**Department of Health and Welfare
Services for the Developmentally Disabled
Southwest Idaho Treatment Center
SWITC Reduction in FTP**

Supplemental

Original Motion

Moved by **Malek**, seconded by **Schmidt**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$0 with FTP of (25.00)

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis

SUBJECT: Division of Welfare: Benefits Payment & Child Care Support Program

As the department completed its 2nd quarter budget review, it realized that the division of Welfare, Benefits Program will need an additional \$3.2 Million in federal fund trustee & benefit appropriation to cover increased spending in the Idaho Child Care Program (ICCP). With the economy improving and people going back to work, the department has seen an increase in the number of families receiving child care services as demonstrated in the Self Reliance Forecast published with caseload increases through December 2014.

Child Care subsidies are provided to individuals that have an annual income up to 130% of the federal poverty level. These subsidies allow people to work or attend an accredited college while having a safe place for their children to go. In fiscal year 2014, the program served almost 7,100 participants per month and provided nearly \$22.5 million of support.

CARRIED: Original Motion

Department of Health and Welfare

Benefit Payments

Child Care Support Payments

Supplemental

Moved by **Nuxoll**, seconded by **Johnson**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$3,236,300 Federal Funds for a total of \$3,236,300 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: Jared Tatro, Principal Analyst, Division of Budget & Policy Analysis

SUBJECT: Indirect Support Services: Purchase Replacement Items Early

The department over the last few years has been able to realize savings for their General Funds because the federal government has provided an enhanced earned revenue rate to the department for IT related costs. As a result the department has been able to use their existing General Fund Appropriation to meet other department needs without requesting new funding, and when applicable, the department has reverted any remaining General Funds back to the state. The department does not anticipate having these enhanced federal dollars beyond the current fiscal year.

CARRIED: **Original Motion**

Department of Health and Welfare
Indirect Support Services
Purchase Replacement Items Early
Supplemental
Original Motion

Moved by **Malek**, seconded by **Schmidt**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$2,600,000 Federal Funds for a total of \$2,600,000 with FTP of 0.00
GF Object Transfer: (\$1,300,000) PC; \$300,000 OE; \$1,000,000 CO

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

DEPARTMENT OF ADMINISTRATION

PRESENTER: **Robyn Lockett, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **Department of Administration: Federal Surplus Freight**

Ms. Lockett provided the committee with the following background information regarding the Federal Surplus Freight:

The Governor recommends additional ongoing spending authority for freight costs in the federal surplus program. The program donates surplus federal property to local jurisdictions at no charge. The state pays for the inbound transportation and then sells the equipment to state and public agencies at a price to recover the logistics cost. The Federal Surplus Property Program serves customers from state agencies, counties, cities, school districts, irrigation districts, fire districts, charter schools, non-profit health care facilities, and some small businesses. Cost avoidance savings in FY 2014 totaled \$1,300,000 and this program has provided items for more than 78% below market value, on average, in FY 2015.

The program has increased its volume over the past four years which has enabled the department to increase its services to customers. With increased volume, they are able to bring in more property while keeping the pricing structure the same. For example, in FY14 the program donated property with an acquisition value of approximately \$6 million for \$379,000 in service and handling fees.

Regarding the Governor's Recommendation: The Governor recommends additional ongoing spending authority for freight costs in the federal surplus program.

The program, which donates surplus federal property to local jurisdictions, has provided items for more than 78% below market value on average in FY 2015. Cost avoidance savings in FY 2014 totaled \$1,300,000. This funding will better align the appropriation with customer needs and revenues as the Federal Surplus Property Program continues to grow and serve more public agencies. No change

in the service fee structure will result from this appropriation because new revenue from customers will cover the costs.

UNANIMOUS CONSENT: On Request by **Thayn**, granted by unanimous consent, the Fiscal Year 2015 budget for the Department of Administration, Department of Administration, was reopened.

CARRIED: **Original Motion**

Department of Administration
Purchasing
Federal Surplus Freight
Supplemental
Original Motion

Moved by **Thayn**, seconded by **Youngblood**, to approve for introduction \$0 General Funds, \$100,000 Dedicated Funds, \$0 Federal Funds for a total of \$100,000 with FTP of 0.00

Ayes: 19

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 1

Schmidt

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PRESENTER: **Robyn Lockett, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **Permanent Building Fund: Capital Annex Improvements**

The Governor recommends \$1,150,000 be transferred from the General Fund to the Permanent Building Fund to complete refurbishing of the Capitol Annex. Additional funding is necessary due to an increase in costs of material and labor, as well as the need for increased energy efficient technology to address concerns about the finite resources in the geothermal pool beneath Boise.

The Capitol Annex has been under renovation for five years and appropriations totaling \$6 million have been made in order to make the former Ada County Courthouse ready for occupancy. Funds have paid for elevator rehabilitation, plus domestic water, electrical, and heating and cooling upgrades, including converting the heat source to geothermal by connecting the Annex to the Capitol Mall heating and cooling system.

CARRIED: **Original Motion**

Department of Administration
Permanent Building Fund
Capitol Annex Improvements

Supplemental

Moved by **Lacey**, seconded by **King**, to approve for introduction \$0 General Funds, \$1,150,000 Dedicated Funds, \$0 Federal Funds for a total of \$1,150,000 with FTP of 0.00

Ayes: 12

Cameron, Keough, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Burtenshaw, King

Nays: 8

Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Monks, Gannon

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

STATE CONTROLLER

PRESENTER: **Robyn Lockett, Principal Analyst, Division of Budget & Policy Analysis**

SUBJECT: **State Controller: IRS Healthcare Reporting Requirements**

Ms. Lockett read the following background information regarding the State Controller requests \$250,000 in ongoing operating expenditures from the General Fund to pay for additional reporting necessary to meet federal requirements under the Affordable Care Act (ACA). The state has an obligation under the ACA that requires Applicable Large Employers (ALE), with 50 or more full-time equivalent employees, to report information to the IRS about the workforce and healthcare coverage made available to full-time employees, and to issue individual statements to full-time employees showing the information reported to the IRS for that individual.

These new reporting requirements became effective January 2015 with the first reports due January 2016. Additional programming modifications are necessary to capture the data, and to create and populate the IRS forms used for reporting this information to the federal government, as well as the state's full-time employees. Initial funding is needed in FY 2015 to perform programming modifications in order to begin the data collection required for compliance. Existing staff within the Controller's Office is expected to complete the programming work. If not funded, the state will not be in compliance with these reporting requirements. The IRS penalties for failure to report is \$50 per employee, per instance regarding the information return to the IRS, up to \$250,000 per year; and \$50 per employee return, up to \$100,000 per year; both subject to higher penalties for failure due to intentional disregard

Further explanation revealed to the committee that the Controller is being required to report to the IRS about our state workforce and our associated healthcare coverage. Because we are under obligation by the Affordable Care Act that requires Idaho to issue individual reporting statements to its full-time employees, as well as submit electronic information about the healthcare options those employees have, I

recognize that additional programming modifications are necessary, so therefore, the funds to make those modifications are also necessary.

UNANIMOUS CONSENT: On Request by **Mortimer**, granted by unanimous consent, the Fiscal Year 2015 budget for the State Controller, State Controller, was reopened.

CARRIED: **Original Motion**

State Controller
Statewide Payroll
IRS Healthcare Reporting Requirements
Supplemental

Moved by **Mortimer**, seconded by **Keough**, to approve for introduction \$250,000 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$250,000 with FTP of 0.00

Ayes: 19

Cameron, Keough, Bair, Mortimer, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 1

Nuxoll

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

PUBLIC SCHOOL SUPPORT

PRESENTER: **Paul Headlee, Deputy Division Manager, Division of Budget & Policy Analysis**

UNANIMOUS CONSENT: On Request by **Thayn**, granted by unanimous consent, the Fiscal Year 2015 budget for the Public School Support, was reopened.

SUBJECT: **Children's Programs: Increase Federal Spending Authority**

This request is for a supplemental FY 2015 appropriation, in the amount of \$50,000,000 ongoing from federal funds. This request was recommended by the Governor.

This supplemental request is to increase the federal spending authority in the Children's Programs Division from \$200 million up to \$250 million. The request for this additional \$50 million appropriation is driven by increases in current federal grants, new federal grants, and how frequently school districts request reimbursement from the 34 different entitlement and grant programs. Individual grants are often spread over three fiscal years. In FY 2014, the State Department of Education delayed distribution of \$15.1 million in June 2014 because the districts' requests for reimbursement of funds exceeded the department's requested spending authority. Upon further review and analysis by LSO Budget & Policy staff with the State Department of Education, the necessary supplemental amount for FY 2015 is \$49,115,000. This amount addresses the \$15 million delayed in FY 2014, \$15 million needed as ongoing for FY 2015, and an additional \$19.115 million, or 7.2% of spending authority, for unanticipated increases in program awards and/or draw downs by school districts.

As shown in the table below, \$49,115,000 would be appropriated as Lump Sum. Spending authority not used would revert back to the federal fund on June 30, 2015. This funding would increase the amount of federal funds in the Children's Programs Division from \$200,000,000 to \$249,115,000.

Further discussion showed this supplemental addresses the gap in spending authority in FY 2014, the ongoing amount for FY 2015, and provides room for unanticipated increases in federal funds. The federal funds are primarily driven by formula, and as the number of students increase, so do the funds. The last time federal funds were increased for this program was in FY 2008, in the amount of \$40 million. The largest federal programs with funding increases include the food and nutrition block grant programs (school lunches) and programs related to the Individuals with Disabilities Education Act (IDEA, Part B).

CARRIED: **Original Motion**

Public School Support
Children's Division
Increase Fed Spending Authority by \$50 Million
Supplemental
Original Motion

Moved by **Thayn**, seconded by **Mortimer**, to approve for introduction \$0 General Funds, \$0 Dedicated Funds, \$49,115,000 Federal Funds for a total of \$49,115,000 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

STATE BOARD OF EDUCATION: Superintendent of Public Instruction

PRESENTER: **Paul Headlee, Deputy Division Manager, Division of Budget & Policy Analysis**

UNANIMOUS CONSENT: On Request by **Thayn**, granted by unanimous consent, the Fiscal Year 2015 budget for the State Board of Education, Superintendent of Public Instruction, was reopened.

SUBJECT: Superintendent of Public Instruction: Additional Appropriation for Grants

This request is for a supplemental FY 2015 appropriation, in the amount of \$201,600 ongoing from dedicated funds and a decrease of \$201,600 ongoing in federal funds. This request was recommended by the Governor.

This request is for an increase in dedicated spending authority of \$201,600 from the Public Instruction Fund (Fund 0325). This fund receives revenue from 30+ sources and received increased funding in FY 2014 and FY 2015 for the following existing programs:

- 1) Health & Welfare Physical Education/Nutrition Assessment (Fund 0325-20)
- 2) State Tribal Education Partnership (Fund 0325-23)
- 3) J.A. and Kathryn Albertson Foundation funds for the GEAR UP grant program (Fund 0325-24)
- 4) Council of Chief State School Officers (CCSSO) for the Network for Transferring Educator Preparation (Fund 0325-08).

There is also a requested decrease in federal spending authority of \$201,600 that is unrelated to the increase in dedicated funding. Based on recent communication with the Superintendent's office, a decrease of \$300,000 would be feasible. However LSO staff will continue to work with State Department of Education staff to determine the appropriate amount of federal spending authority and may recommend additional action when the FY 2016 budget is set, which is scheduled for March 9. As shown in the table below, dedicated spending authority would be increased by \$201,600 and federal spending authority would be decreased by \$301,600, netting to a decrease of \$100,000.

CARRIED: Original Motion

**State Board of Education
Superintendent of Public Instruction
Increase in Dedicated Funds and Decrease in Federal Funds**

Supplemental

Original Motion

Moved by **Thayn**, seconded by **Mortimer**, to approve for introduction \$0 General Funds, \$201,600 Dedicated Funds, \$(301,600) Federal Funds for a total of \$(100,000) with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

SELF-GOVERNING AGENCIES:

PRESENTER: Jared Hoskins, Senior Analyst, Division of Budget & Policy Analysis

SUBJECT: Self-Governing Agencies: Office of the State Appellate Public Defender
UNANIMOUS CONSENT: On Request by **Keough**, granted by unanimous consent, the Fiscal Year 2015 budget for the Self-Governing Agencies, Office of State Appellate Public Defender, was reopened.

CARRIED: Original Motion

Self-Governing Agencies
Office of State Appellate Public Defender
Extraordinary Litigation and Investigation Costs
Supplemental
Original Motion

Moved by **Keough**, seconded by **Youngblood**, to approve for introduction \$94,900 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$94,900 with FTP of 0.00

Ayes: 20

Cameron, Keough, Bair, Mortimer, Nuxoll, Johnson, Thayn, Guthrie, Schmidt, Lacey, Bell, Gibbs, Miller, Youngblood, Horman, Malek, Monks, Burtenshaw, King, Gannon

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by **Chairman Bell**.

UNANIMOUS CONSENT: On request by **Keough**, granted by unanimous consent, the fiscal year 2015 budget for the Self-Governing Agencies, Office of State Appellate Public Defender accepted the following intent language:

CAPITAL REPRESENTATION COSTS:

Of the amount appropriated in Section 1 of this act, \$94,900 from the General Fund, or so much thereof as is necessary, shall be used solely for costs directly related to the provision of representation in capital cases and only to the extent such costs are exclusive of, and can be identified and accounted for separately and distinctly from, the operating, personnel, and capital outlay costs of the Office of the State Appellate Public Defender Program. Such costs may include, but are not limited to, consultation with experts; travel, lodging, and per diem for expert and lay witnesses; depositions; investigation; employee travel associated with witness interviews; court reporting and transcription services; expert witness fees; conflict counsel; and preparation of trial exhibits. Any remaining unexpended and unencumbered amounts not so used shall revert to the General Fund.

ADJOURN: There being No further business to come before the committee, Chairman Bell adjourned the meeting at 9:54 a.m.

Representative Bell
Chair

Christi Cox
Secretary